

1 MORGAN, LEWIS & BOCKIUS LLP

2 Eric Meckley, Bar No. 168181

3 eric.meckley@morganlewis.com

4 Brian D. Berry, Bar No. 229893

5 brian.berry@morganlewis.com

6 Kassia Stephenson, Bar No. 336175

7 kassia.stephenson@morganlewis.com

8 One Market, Spear Street Tower

9 San Francisco, CA 94105-1596

10 Tel: +1.415.442.1000

11 Fax: +1.415.442.1001

12 MORGAN, LEWIS & BOCKIUS LLP

13 Ashlee N. Cherry, Bar No. 312731

14 ashlee.cherry@morganlewis.com

15 1400 Page Mill Road

16 Palo Alto, CA 94304

17 Tel: +1.650.843.4000

18 Fax: +1.650.843.4001

19 MORGAN, LEWIS & BOCKIUS LLP

20 Joseph A. Govea, Bar No. 319683

21 joseph.govea@morganlewis.com

22 300 South Grand Avenue

23 Twenty-Second Floor

24 Los Angeles, CA 90071-3132

25 Tel: +1.213.612.2500

26 Fax: +1.213.612.2501

27 Attorneys for Defendant

28 TWITTER, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CAROLINA BERNAL STRIFLING and
WILLOW WREN TURKAL, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

TWITTER, INC.,

Defendant.

Case No. 4:22-cv-07739-JST

**DECLARATION OF BRIAN D. BERRY
IN SUPPORT OF DEFENDANT
TWITTER, INC.'S ADMINISTRATIVE
MOTION TO SET TELEPHONIC
CASE MANAGEMENT CONFERENCE
RE CASE SCHEDULE**

DECLARATION OF BRIAN D. BERRY

I, Brian D. Berry, hereby declare and state:

1. I am an attorney duly licensed to practice law in the State of California as well as in the United States District Court for the Northern District of California. I am a partner at Morgan, Lewis & Bockius LLP, attorneys of record for Defendant Twitter, Inc. ("Twitter"). I make this declaration in support of Twitter's Administrative Motion to Set Telephonic Case Management Conference re Case Schedule in light of Plaintiffs' Violation of this Court's May 8, 2023 Order (ECF No. 38). I have personal knowledge of the facts set forth in this declaration, and I could and would competently testify to these facts if called upon to do so.

2. On Monday, May 29, 2023, I sent an email to Plaintiffs' counsel to identify the First Amended Complaint's violation of the Court's May 8, 2023 order, including to request that Plaintiffs stipulate to a joint request for a telephonic CMC re the case schedule in light of their violation. A true and correct copy of that email is attached as **Exhibit 1**.

3. As of the date of this declaration, Plaintiffs' counsel has not responded to that email.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 30th day of May, 2023 in Berkeley, California.

/s/ Brian D. Berry
Brian Berry